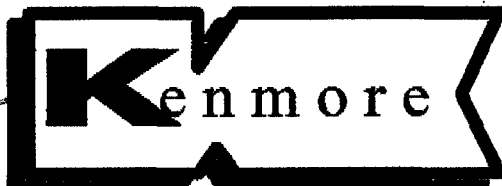


SW-02361A-08-0609

ORIGINAL



A Legacy of Fine Homes Since 1955

TO:	ARIZONA CORPORATION COMMISSION	DATE:	OCT. 23/09
COMPANY:		NO. OF PAGES	
FROM:	JIM K. KAUFMAN	FAX. NO:	
RE:		TEL. NO.:	

MESSAGE:

TO THE COMMISSIONERS

MY WIFE AND I HAVE OWNED 1700E STAGHORN FROM MAY/05. IT THE CLOSEST HOME TO THE BLACK MOUNTAIN SEWER PROCESSING PLANT IN THE BOULDERS. WHEN WE FIRST PURCHASED OUR HOME WE HAD STATEMENTS FORM THE PREVIOUS OWNERS(A DOCTOR AND HIS WIFE) THAT THERE WERE NO ODOURS COMING FROM THE PLANT. WE WERE CONCERNED BECAUSE ALL THAT SEPARATES OUR HOPME FROM THE PLANT IS A 5FT HIGH BLOCK WALL. WHEN WE MOVED IN MAY/05 WE EXPERIENCED NO OUDORS FROM THE PLANT. HOWEWEVER SINCE WE LIVE IN CANADA AND THIS IS OUR VACATION HOME WE ONLY ARE IN ARIZONA 3 OR 4 TIMES A YEAR. THE ODOURS STARTED TO BE MORE FREQUENT AFTER THE FIRST YEAR AND WE NOTIFIED BLACK MOUNTAIN ABOUT OUR CONCERNS. I WOULD NORMALLY TALK TO SOMEONE ON THE PHONE AND BE ASSURED THAT IT WOULD BE TAKEN CARE OF AND THAT THEY WOULD COME TO OUR HOME TO WITNESS FIRST HAND THE PROBLEM. NO ONE EVER CAME. WE WERE VERY FRUSTRATED WITH THE LACK OF CONCERN FROM BLACK MOUNTAIN. WHEN I TALKED TO THE BHOHA I WAS ALWAYS TOLD THAT BLACK MOUNTAIN TOLD THEM THEY HAD A PROBLEM AND HAD ORDERED PARTS OR WERE IN THE PROCESS OF FIXING THE PROBLEM. THESE ACTIONS NEVER HELPED THE PROBLEM. WHEN WE HAVE GUESTS OUR GUESTS ALWAYS ASK WHY IT SMELLS SO BAD AROUND OUR POOL. IT WAS VERY EMBARASSING AND STRESSFUL THAT THIS HAS CONTINUED WITHOUT ANYBODY FROM BLACK MOUNTAIN COMING TO OUR HOME TO GET

ST. CATHARINES
236 Glenridge Avenue
Ontario L2T 3J8

Tel. 905-684-2317
Fax. 905-684-0003

Arizona Corporation Commission

DOCKETED

NOV - 2 2009

DOCKETED BY	<i>MM</i>
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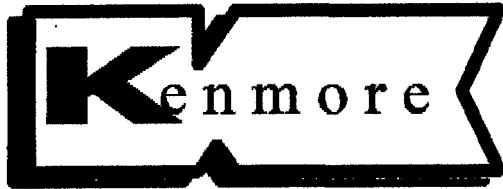
WATERLOO
79 Rankin Street, Unit 2
Ontario N2V 1W2

Tel. 519 747 2834
Fax. 519 747 0158

LONDON
100 Bessemer Road, Unit 5
Ontario N6E 1R2

Tel. 519-681 3983
Fax. 519 681 3806

RECEIVED
2009-11-2 P 1:03
ARIZONA CORPORATION COMMISSION



A Legacy of Fine Homes Since 1955

TO:		DATE:	
COMPANY:		NO. OF PAGES	PG 2
FROM:	JIM K. KAUFMAN	FAX. NO:	
RE:		TEL. NO.:	

MESSAGE:

FIRST HAND EXPERIENCE OF THE PROBLEM.

MY WIFE HAD A HEART ATTACK IN FEB/09. WITHOUT THE PROBLEM BEING FIXED OR THE PLANT BEING DECOMMISSIONED THIS WILL CAUSE HER UNDE STRESS. I CANNOT ALLOW THIS TO HURT HER HEALTH. DECOMMISSIONING THIS PLANT WOULD BE THE ONLY ANSWER FOR US AS THEN THERE IS NO MORE EXCUSES ABOUT SOMETHING GONE WRONG AGAIN WITH THE PLANT. WE LOVE OUR HOME IN ARIZONA AND HOPR YOU WILL COME TO THE CONCLUSION THAT THE DECOMMISSIONING OF THE PLANT IS THE BEST RESOLUTION FOR ALL INVOLVED AND FOR THE HEALTH OF MY WIFE RECOVERING FROM HER HEART ATTACK.

WE WOULD HAVE LIKED TO BE AT THE NOW 18 MEETING BUT WE ARE FLYING BACK TO CANADA ON NOV 16. PLEASE TAKE THIS VERY SERIOUSLY AS MY WIFES HEALTH IS VERY IMPORTANT TO US.

JIM AND MAUREEN KAUFMAN

1700E STAGHORN LANE

CAREFREE, AZ

85377

905-984-1512

ST. CATHARINES
236 Glenridge Avenue
Ontario L2T 3J8

Tel. 905-684-2317
Fax. 905-684-0003

WATERLOO
79 Rankin Street, Unit 2
Ontario N2V 1W2

Tel. 519 747 2834
Fax. 519 747 0158

LONDON
100 Bessemer Road, Unit 5
Ontario N6E 1R2

Tel. 519-681 3983
Fax. 519 681 3806

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

**Black Mountain Sewer
Docket Control No. SW-02361A-08-0609**

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences. I recognize that there will be some costs to Black Mountain Sewer users involved in this de-commissioning and remediation effort, and I am willing to accept my share of these costs.

The problems my neighbors and I are experiencing prompting me to write this letter are identified below:

- **Strong and nauseating odors, offensive to both Boulders residents and Boulders Resort guests**, frequently coming from the Processing Plant
- **Health concerns from chemicals** required to be inserted trying to mitigate the odors
- **Loud noises** coming from the Processing Plant
- **Frequent repair and pumper trucks** driving through the residential neighborhoods of the Boulders, and parking in front of the Processing Plant
- **Decreased home and property values** because of the proximity of the Processing Plant to many homes within the Boulders, and the odors, noises and truck traffic associated with the Processing Plant
- **It would be more efficient to de-commission the Processing Plant now**, rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.

Thank you for your consideration of this request,

Name:

Kristen Newell

Address:

7500 E Bowdoin Parkway

unit 35

Scottsdale 85266

10 22 09

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,


I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and malfunctioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
 - **Health concerns from chemicals** required to be inserted into the Black Mountain Sewer system from pumper trucks at different locations of the system trying to mask the odors
 - **Loud noises** coming from the Processing Plant
 - **Frequent repair and pumper trucks** driving through residential neighborhoods to service the Processing Plant, and parking in front
 - **Decreased home and property values** because of the proximity of the Processing Plant to many homes within the adjacent residential neighborhood and the frequent heavy truck traffic required to service the Processing Plant
 - **It would be more efficient to de-commission the Processing Plant now**, rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.
 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: 
Printed Name: Carole L. Remonch
Address: 8184 E. Beardsley Rd.
City, State: Scottsdale, AZ 85255

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and malfunctioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
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 - **It would be more efficient to de-commission the Processing Plant now**, rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.
 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: E. Pavlova
Printed Name: ELENA PAULOVA
Address: POB 864
City, State: Carefree Az 85377

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and mal-functioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
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 - **It would be more efficient to de-commission the Processing Plant now**, rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.
 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Sherry Andrew
Printed Name: Sherry Andrew
Address: 7474 E. Boulders Pkwy #3
City, State: AZ 85266

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and malfunctioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
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 - **It would be more efficient to de-commission the Processing Plant now**, rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.
 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Linda Martin
Printed Name: LINDA MARTIN
Address: 7565 CLUB VILLA CIR
City, State: SCOTTSDALE AZ

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and malfunctioning Processing Plant are identified below:

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: 

Printed Name: SYBIL VITIKAINEN

Address: PO 2800-330

City, State: CAREFREE, AZ 85377

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and mal-functioning Processing Plant are identified below:

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Mimi Delaney
Printed Name: MIMI DELANEY
Address: 7765 E. OLD PAIN TR
City, State: SCOTTSDALE, AZ 85262

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and mal-functioning Processing Plant are identified below:

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Catherine Goodman
Printed Name: Catherine Goodman
Address: P.O. Box 3442 Carefree 3110 Arroyo Hondo
City, State: Carefree, AZ 85377

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Gail Anthony
Printed Name: GAIL ANTHONY
Address: 7254 E. Whitethorn Circle
City, State: Scottsdale, Ar 85266

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Dorothy V Hall
Printed Name: Dorothy V Hall
Address: 1633 Quartz Valley Dr
City, State: Scottsdale, AZ

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

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- Other reason(s):

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Sue Clement

Printed Name: Sue Clement

Address: 1302 Coyote Pass P.O. Box 3814

City, State: CAREFREE, AZ 85377

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

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 - Other reason(s):
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I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature:

Printed Name:

Address: 7265 E. Whitethorn Cr

City, State: Scottsdale, AZ 85264

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

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- Other reason(s):

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature:

Louise Reisman

Printed Name:

LOUISE REISMAN

Address:

7735 E. OLD PAINT TR.

City, State:

SCOTTSDALE, AZ.

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration.

Signature: Eile Gould

Printed Name: Eile Gould

Address: 1631 QUARTZ Valley

City, State: PO Box 815
Caveville AZ 85377

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Susan Perrins
Printed Name: Susan Perrins + Steve Perrins
Address: 3101 Arroyo Hondo
City, State: Carefree, AZ 85377

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

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 - Other reason(s):
-
-

I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: T. E. Hansen
Printed Name: T. E. HANSEN
Address: 34843 IRONWOOD RD
City, State: Scottsdale, AZ

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

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I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: *Gael T. Hanson*

Printed Name: GAEL T. HANSON

Address: 3484 N. Fernwood Rd

City, State: Scottsdale, AZ

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and mal-functioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
 - **Health concerns from chemicals** required to be inserted into the Black Mountain Sewer system from pumper trucks at different locations of the system trying to mask the odors
 - **Loud noises** coming from the Processing Plant
 - **Frequent repair and pumper trucks** driving through residential neighborhoods to service the Processing Plant, and parking in front
 - **Decreased home and property values** because of the proximity of the Processing Plant to many homes within the adjacent residential neighborhood and the frequent heavy truck traffic required to service the Processing Plant
 - **It would be more efficient to de-commission the Processing Plant now**, rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.
 - Other reason(s):
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I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Marilyn Dineen
Printed Name: MARILYN DINEEN
Address: 2525 CAMPDEN LN,
City, State: NBK, IL, 60062

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and mal-functioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
 - **Health concerns from chemicals** required to be inserted into the Black Mountain Sewer system from pumper trucks at different locations of the system trying to mask the odors
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 - **Frequent repair and pumper trucks** driving through residential neighborhoods to service the Processing Plant, and parking in front
 - **Decreased home and property values** because of the proximity of the Processing Plant to many homes within the adjacent residential neighborhood and the frequent heavy truck traffic required to service the Processing Plant
 - **It would be more efficient to de-commission the Processing Plant now,** rather than continue to waste more funds each year in costly repairs and then de-commissioning the Processing Plant and remediating the land at a later date.
 - Other reason(s):
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I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Charlotte Clark

Printed Name: Charlotte Clark

Address: 7950 E El Sendero #4

City, State: Scottsdale, AZ 85266

ACC: Docket Control # SW-02361A-08-0609

It is time to decommission this plant. I was one of the original filers when the first hearing on this plant took place under Judge Dwight Nodes. All the problems discussed at that time, some years ago, are clearly documented. Then the thought was let Black Mountain Sewer Company see if they can remedy the problems before taking more forceful action. We have partnered with BMS to accomplish that, but all efforts have failed.

Since that time, BMS has worked diligently to alleviate the problems of noise and odor that plague our community. Clearly the age of the system and the increasing volume it carries have overwhelmed the capacities and capabilities of the system to handle the situation. Remedial insertion of the pipes in the system have been tried when video of the system showed deteriorated piping leaching sewage into the ground. Chemicals have been pumped in great quantities to neutralize odors. EPA has indicated risk to health of residents are a possibility when off gassing exceeds acceptable levels. It is in EVERYONE's best interest to decommission the plant, relocate it outside of a residential neighborhood and prepare the system for its current and future volume.

Your decision to decommission this plant and have it removed from The Boulders is the right move. Every effort has been made to restore quality of life to our community, but the efforts have failed. Property values could be effected if the plant stays. It is time to make a decision that is in the best interests of all concerned. The continuing maintenance and public relations problems for BMS have tired them and us. Their request for rate increases is due in part to a failed and

failing system requiring increasing levels of maintenance. It is not protecting ratepayers to continue to utilize this antiquated system. Do the right thing; decommission this plant. The record speaks for itself. It is time.

Bob Williams

Boulders Resident at 3003 Ironwood Rd., Carefree, AZ

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners,

I support de-commissioning the Black Mountain Sewer Processing Plant located in the midst of a beautiful residential neighborhood within 100 feet of adjacent residences.

The problems my neighbors and I are experiencing from this antiquated and mal-functioning Processing Plant are identified below:

- **Strong and nauseating odors, offensive to both adjacent and near-by homeowners and Boulders Resort guests** coming from the Processing Plant
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 - Other reason(s):
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I recognize the value of de-commissioning this Sewer Processing Plant and believe that the modest cost involved in accomplishing this now would be a wise investment for the future.

Thank you for your consideration,

Signature: Louise M. Rosenburg
Printed Name: Louise M. Rosenburg
Address: 7725 E. Old Paint Trail
City, State: Scottsdale, AZ 85266